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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,291	10/16/2003	Michael John Branson	ROC920030263US1	8981

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IBM Corporation  
Intellectual Property Law  
Dept. 917  
3605 Highway 52 North  
Rochester, MN 55901-7829

EXAMINER
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SHIH, HAOSHIAN

ART UNIT	PAPER NUMBER
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2196

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/687,291

Applicant(s)

BRANSON ET AL.

Examiner

Haoshian Shih

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/29/06.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-20 are pending in this application and have been examined.

#### ***Claim Objection***

2. The disclosure is objected to because of the following informalities: the phrase "based a sort rule" on line 2 of claim 20 is grammatically awkward.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 11-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.
5. As to claims 11-15, the "signal-bearing medium" in accordance with applicant's specification, may be an electromagnetic signal. Energy does not fall within a statutory category.

#### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1- 20 are rejected under 35 U.S.C. 102(e) as being unpatentable by

Gegner et al. ("Gegner", WO 2003/104966 A3).

8. As to claim 1, Gegner discloses selecting a subset of a plurality of data objects based on a respective importance of each of the plurality of respective data objects (pg3, line 12-21), wherein the plurality of data objects are displayed in a main view; and copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left. pg8, line 11-13; displaying of the objects on a different display screen).

9. As to claim 6, Gegner discloses means for receiving a plurality of data objects and a plurality of respective importance tags (pg3, line 12-21); and means for selecting a subset of the plurality of data objects based on the importance tags (pg3, line 27-28; less important data objects are not selected) and based on a peek view associated with a pull command (fig 5; pg8, line 11-13; a subset of the objects are selected to display on a different screen).

10. As to claim 11, Gegner discloses selecting a subset of a plurality of data objects in response to a pull command from a peek view (pg8, line 11-13; a subset of the

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objects are selected to display on a different screen) wherein the plurality of data objects are displayed in a main view; and copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left).

11. As to claim 16, Gegner discloses selecting a subset of a first plurality of data objects in response to a pull command from a peek view (pg8, line 11-13; a subset of the objects are selected to display on a different screen), wherein the first plurality of data objects are displayed in a main view, copying the subset to a peek view (fig 5; main view with the plurality of data objects are on the right, and a peek view with the subset are on the left), replacing the first plurality of data objects in the main view with a second plurality of data objects, receiving an update to the first plurality of data objects, and modifying the subset in the peek view based on the update (pg4, line 15-21; pg8, line 11-14 as a different peek view are selected for displaying in an enlarged form, the main view updates to reflect the changes).

12. As to claim 2, Gegner discloses the selecting is in response to a pull command at the peek view (fig 5; pg8, line 11-13; a subset of the objects are copied to display on a different screen).

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13. As to claims 3, and 8, Gegner discloses selecting the subset based on a size of the peek view (fig 3; pg3, line 27-29; objects are added/eliminated based on the size of the peek window).

14. As to claims 4, 10, 14, and 15 Gegner discloses receiving an update to the plurality of data objects; and modifying the subset in the peek view based on the update(pg 3, line 7-11; the displayed data objects reflects the updates on the display screen in the field of patient monitoring).

15. As to claim 5, Gegner discloses re-selecting the subset based on a change to the importance, wherein the receiving further receives the change to the importance (pg3, line 18-21).

16. As to claim 7, Gegner discloses means for copying the subset from a main view to the peek view (fig 5; pg8, line 11-13; a subset of the objects are copied to display on a different screen).

17. As to claims 9 and 19, Gegner discloses means for copying the subset from the peek view to the main view in response to a push command associated with the peek view(pg4, line 15-17; pg8, line 11-13; objects from the peek view are imported to a different screen to display an enlarged form).

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18. As to claims 12 and 17, Gegner discloses selecting the subset based on a plurality of importance tags associated with the respective plurality of respective data objects, wherein the respective importance tags specify a ranking of the plurality of respective data objects (pg3, line 18-22).

19. Claims 13, 18 are same in scope to claims 3 and 6, and are therefore rejected under same rationale.

20. As to claim 20, Gegner discloses sorting data in the subset in the peek view based a sort rule associated with the data (pg3, line 18-21; the ordering of the hierarchically combined objects represents a form of sorting rule).

### **Conclusion**

21. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Ishida 5,684,969 Information management system facilitating user access to information content through display of scaled information nodes.

Goto 6,037,941 Tag display control system and method.

Tanaka et al. 6,552,737 B1 Control of window size in response to user operation.

Sommerer et al. 2004/0003351 A1 Navigating a resource browser session.

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Bertram et al. 2005/0183030 A1 Automatically scaling the information and controls in navigation tabs per available window area.

Boerner et al. 2005/0268248 A1 Content customization with resizability and context-sensitivity

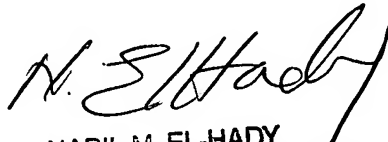
Gusmorino et al. 2006/0020899 A1 Scaling icons for representing files.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 270-1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571)272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WAS

  
NABIL M. EL-HADY  
SUPERVISORY PATENT EXAMINER